

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

10 || craigslist, Inc., NO. C 08-05067 JW

11 Plaintiff,
12 v.
13 Paul Hubert,
14 Defendant

**ORDER REQUIRING COUNSEL TO
PRODUCE APPROPRIATE WITNESSES
FOR AN EVIDENTIARY HEARING ON
OCTOBER 31, 2011**

15 Presently before the Court is Defendant's Motion to Vacate Default Judgment.¹ A hearing
16 on the Motion is scheduled for October 31, 2011. In his Motion, Defendant contends that the
17 Court's Judgment against him must be vacated because he was never properly served with notice of
18 this action. (See Motion at 1.)

19 Upon review of the papers submitted to date, the Court finds that an evidentiary hearing is
20 necessary on the question of whether Defendant was properly served with notice of this action.
21 Accordingly, the Court ORDERS that counsel for both parties secure their respective witnesses to
22 give testimony under oath at the October 31, 2011 hearing.

24 || Dated: October 25, 2011

James Ware
JAMES WARE
United States District Chief Judge

²⁸ ¹ (Defendant Paul Hubert’s Notice of Motion and Motion to Vacate Default Judgment (FRCP 60(b)(4)), hereafter, “Motion,” Docket Item No. 65.)

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Brian Patrick Hennessy bhennessy@perkinscoie.com
3 Elizabeth L. McDougall EmcDougall@perkinscoie.com
4 Jeffrey Michael Hanson Jhanson@perkinscoie.com
5 Liling Poh Ipoh@perkinscoie.com
6 Matthew William Kumin matt@kuminsommers.com

7 **Dated: October 25, 2011**

8 **Richard W. Wieking, Clerk**

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
By: /s/ JW Chambers
Susan Imbriani
Courtroom Deputy